

GOVERNOR'S MESSAGE,

TO THE LEGISLATIVE ASSEMBLY OF UTAH TERRITORY,

JANUARY 5, 1852.

[1000 COPIES ORDERED TO BE PRINTED.]

TO THE COUNCIL AND HOUSE OF REPRESENTATIVES OF THE
LEGISLATURE OF UTAH:—

GENTLEMEN:—

In recurring again to subject matter which may be deemed worthy of your consideration, I cannot refrain from first expressing the gratitude of a grateful heart, to the Almighty disposer of human events, for the continuance of His kind blessings; invoking His wisdom and the intelligence of High Heaven to direct all efforts for the well being of society and the guidance of the affairs of men.

When I reflect upon the kind dealing of the God of Israel towards the people which you represent, I am led to the certain conviction that He has held us all in the arms of mercy, and contributed more for our benefit, than we at present can appreciate, or fully understand: acting under this conviction, it well becomes us, first of all, to implore His Divine protection and assistance, to sustain, guide, and direct us in the discharge of those duties which devolve upon us.

We have now commenced a New Year, in the midst of recurring events, which have closed the old, and through which she has waded to the fulfilment of her destiny; she has made her mark upon the scroll of fame, whether for high or low estate, subsequent time will develop: happily if so blended therewith, are the good and charitable acts of men, as shall leave her escutcheon of a bright and shining lustre, no blot thereon to tarnish, no venom to corrode.

In the discharge of those duties incumbent upon the Executive Department, I have endeavored while enforcing the salutary restraints of law, to be guided by the spirits of wisdom and forbearance, consonant with the true interpretation of its provisions, observing the rule that it is better to live *above law*, than promote litigation, in order to enforce its rigid observance.

It is highly gratifying to every lover of peace, that so few infractions of law have occurred; and those few, although generally of a minor consideration, having met the prompt and energetic exercise of civil jurisprudence, will it is hoped ensure future protection and safety from evil practices of wicked and designing men.

It is important that the laws should be revised, and published in some

more tangible form; as no facilities for binding have hitherto existed among us, they have been distributed on loose sheets, and soon lost, misplaced, or worn out.

I now again suggest that a commission be appointed, not only to gather up and revise the old, but furnish a code of practice for our courts, laws regulating Executors and Administrators, descent of Property, and other laws of a general nature.

It will be observed by reference to the Adjutant General's Report that the laws regulating the Militia are very deficient; this in consideration with our depending solely upon our own resources for protection and defence, becomes a matter of considerable importance, and should engage your early attention.

I respectfully direct your attention to some of the suggestions contained in that report, as being worthy of your consideration, and if they should be found preferable to any other mode, devise such laws and regulations as shall best promote the early and more complete organization and maintaining an efficient Military force.

The department of the Quartermaster and Commissaries of Subsistence, need some more available means, in order to supply demands constantly occurring, and the better preservation of the public property.

The Judiciary laws which under our provisional form of Government appeared sufficient, are defective, under our present Territorial organization, being inapplicable in many of their provisions to our present situation. The same may also be said of the Election, Revenue, and several other laws.

In relation to the Revenue law, I would respectfully suggest that the Territorial tax be reduced to barely meet the necessary expenses of the Territory; leaving the various Counties to provide, under provisions of the proper legislation, for the assessment, collecting, and disbursement of their own tax, as also payment of bounty on Fox and Wolf pates.

I would also suggest that the county Assessors and Collectors in their respective counties, assess property and collect in Money, the Territorial tax, within some reasonable time during the year, which shall be fixed by law.

When the embarrassments which have been experienced for the want of a little funds, and the very small amount required of each individual, for the support of Government, is considered: it would seem that no obstacle should hinder the full and prompt discharge of all such requirements.

It cannot be as onerous upon the individual as it is upon those entrusted with the affairs of Government, when expected resources based upon mild and equitable law are deficient. Many of the Governmental expenditures under our present organization are defrayed by the General Government, yet there are many which they do not provide for.

The Legislature have moreover heretofore made appropriations for the encouragement of various manufacturing interests, as also for the encouragement of learning; these appropriations should be met; as all must readily perceive a partial investment made in good faith depending upon the public faith for further supplies, being withheld, involves a loss of funds already invested, and proves destructive to the enterprise.

I have no hesitation in saying that our true interest is, and will be most wisely consulted in domestic manufacturing, to the exclusion of almost every article of imported goods. Our clothing of every description, sugar, candles, soap, leather, crockery, paper, glass, nails, much of the hardware, castings, steel, and many other articles, for which our merchants continually drain the country of money, might be manufactured just as well at home, within our own limits, thereby furnishing lucrative employment to the many artisans of every description, who are constantly flocking hither, and form the basis of a free and independent State, that can in no other way be accomplished. In all your deliberations on the many subjects that will present themselves before you, I will venture to say there is none so deeply fraught with every consideration of interest, which so completely pervades every class of our citizens, as also every department of the Government. I do therefore most earnestly and sincerely hope, that all needful and necessary encouragement may be given in protective legislation, as well as in appropriations, as shall be conducive to the accomplishment of such desirable results.

Closely connected with this subject, is another which has often been a source of refection to me; throughout my acquaintance in this Territory, which is by no means limited, I scarcely know of an apprentice to any trade. No young mechanics arising to fill the places of those now at labor, when they shall have gone to their rest.

Deplorable indeed must be the situation of that People, whose sons are not trained in the practice of every useful avocation, and whose daughters mingle not in the hum of industry. Far be it from me to accuse this people of any lack of industry, but while every energy is brought into requisition in the most extended labor, it well becomes us to give the proper direction to that labor, to that untiring and persevering effort which so happily characterizes the history of this People.

The enjoyment of a free and independent People can be accomplished only through this principle. Produce what you consume; draw from the native element, the necessities of life; permit no vitiated taste to lead you into the indulgence of expensive luxuries, which can only be obtained by involving yourselves in debt; let home industry produce every article of *home* consumption.

What has become of the interest that parents should have for their offspring? guardians for their wards? do they not know that a useful trade is of more worth to the rising youth than a patrimony? that it is a patrimony of itself far more noble and befitting than any other? that it is the surest road to distinction as well as usefulness that a man can travel?

This subject of course belongs more properly to the people as it is for them to act in the premises, nevertheless the Legislature may do much by framing wise and salutary laws, in relation to Master and Apprentice; which shall equally secure the rights, and protect the interest of both, while sustaining that relation to each other.

Let the proper direction and encouragement be given, to secure these desirable results, and we may reasonably hope ere long, to attain to that enviable position, *real Independence*.

The University, I am happy to say, is in successful operation unde

the guidance of the Chancellor and Board of Regents, so far as a school can promote its interests; although that institution has suffered in common with other enterprises for the want of the promised aid from the Legislature. The grounds are partly enclosed with a very good stone wall, and a building designed for their temporary use is commenced in the thirteenth ward of this City.

The fostering hand of the Government could be exercised to no better purpose than providing for the education of the youth. You are doubtless already sufficiently alive to the importance of this subject, to extend such pecuniary assistance as shall be commensurate with your ability.

In accordance with the resolution of the Legislature locating the seat of Government at Parvan Valley, and authorizing me to appoint Commissioners to select a site for the Capitol, and seat of Government; I complied with that requirement, by appointing Professors Orson Pratt and Albert Carrington, Jesse W. Fox, Esq., William C. Staines, and Joseph L. Robinson, said Commissioners. They immediately proceeded to the performance of their duties, and have made their report, which I take great pleasure in presenting to you.

It appears from their observations that the location is far more central than this city, and that the valley will sustain a large and dense population.

The locating of the seat of Government in that valley, will, it is believed, encourage settlers to go there, and very much facilitate the settlement of all suitable places in that region. Under all these considerations, its location at that point appears judicious upon its own merits, and will unquestionably advance the already prosperous and vastly increasing resources of the Territory. At Filmore City, one wing of the State House will probably be finished for the accommodation of the ensuing Legislature. This will be built with the funds furnished by the General Government, for the erection of suitable public buildings at the seat of Government.

The practice of purchasing Indian children for slaves, is a trade carried on by the Mexican population of New Mexico and California. These traders of late years have extended their traffic into the limits of this Territory. This trade I have endeavored to prevent; and this fall, happening to encounter a few of them in my travels, as Superintendent of Indian affairs, strictly prohibited their further traffic. The majority of them appeared satisfied, and after making a few exchanges of property in the settlements, returned to their own country; unfortunately, however, a few of them still determined to carry on their nefarious traffic: they have been arrested, and are now on their trial in this city.

It is unnecessary perhaps for me to indicate the true policy for Utah in regard to slavery. Restrictions of law and government make all servants but human flesh to be dealt in as property, is not consistent or compatible with the true principles of government. My own feelings are, that no property can or should be recognized as existing in slaves, either Indian or African. No person can purchase them without their becoming us free, so far as natural rights are concerned, as persons of any other color; under the present low and degraded situation of the Indian race, so long as the practice of gambling away, selling, and other-

wise disposing of their children; as also sacrificing prisoners obtains among them, it seems indeed that any transfer would be to them a relief and a benefit. Many a life by this means is saved; many a child redeemed from the thralldom of savage barbarity, and placed upon an equal footing with the more favored portions of the human race. If in return for favors and expense which may have been incurred on their account, service should be considered due, it would become necessary that some law should provide the suitable regulations under which all such indebtedness should be defrayed. This may be said to present a new feature in the traffic of human beings; it is essentially purchasing them into freedom, instead of slavery; but it is not the low, servile drudgery of Mexican slavery, to which I would doom them, not to be raised among beings scarcely superior to themselves, but where they could find that consideration pertaining not only to civilized, but humane and benevolent society.

So shall the benevolence of the human heart be called into action, to promote the improvement of the down-trodden race, whose fathers long swayed the destiny of empires; so shall the condition of the poor, forlorn, destitute, ignorant savage, or African, as the case may be, become ameliorated, and a foundation laid for their advancement in the scale of useful, exalting existence; useful to themselves, to their nation, and all who shall come within the purview of their influence.

Thus will a people be redeemed from servile bondage both mental and physical, and placed upon a platform upon which they can build; and extend forth as far as their capability and natural rights will permit; their thralldom will no longer exist, although the seed of Canaan will inevitably carry the curse which was placed upon them, until the same authority which placed it there, shall see proper to have it removed. Service is necessary: it is honorable: it exists in all countries, and has existed in all ages; it probably will exist in some form in all time to come.

It has long since ceased to become a query with me, who were the most amenable to the laws of righteousness: those who through the instrumentality of human power brought into servitude human beings, who naturally were their own equals, or those acting upon the principle of nature's law, brought into this position or situation, those who were naturally designed for that purpose, and whose capacities are more befitting that, than any other station in society. Thus, while servitude may and should exist, and that too upon those who are naturally designed to occupy the position of "servant of servants," yet we should not fall into the other extreme, and make them as beasts of the field, regarding not the humanity which attaches to the colored race: nor yet elevate them, as some seem disposed, to an equality with those whom Nature and Nature's God has indicated to be their masters, their superiors; nor yet again drag into servitude through the circumstance of penury or misfortune, those our equals, peradventure of a common parentage with ourselves: but rather let us build upon a foundation which the God of Nature has furnished: observing the law of natural affection for our kind, and subserve the interest of our fellows by extending the principles of true liberty to all the children of men, in accordance with the designs of their Creator.

During the past year the settlements have continued to extend, until we now have a line extending from near Bear River on the North, unto within about twenty-five miles of the Southern Rim of the Great Basin; a distance of about three hundred and fifty miles; and a company is now forming who design making a settlement near the Santa Clara, far beyond that point; also East and West a few settlements are forming, although not so extensive in these directions. It is desirable that a settlement should be made on Mary's River, in order to preserve peaceful relations with the Indians in that region. They have become of late very troublesome to travelers, stealing their animals, robbing and killing them as they have opportunity. There is a successful settlement now established on the West side of the Tooele, where the Indians had become so troublesome it was feared that none could be maintained.— With the exception of the Indians on Mary's River, peace prevails among all the tribes, towards the whites within this Territory; although some few are at war with each other; but as a general thing, peace and quietness prevail among themselves.

This gratifying state of things it is believed is consequent upon the humane and consistent treatment which has always been exercised towards them, by the inhabitants of this Territory; as also attributable in part, in strictly enforcing that salutary requirement, which prohibits the introduction of that baneful and highly destructive agent, called spirituous liquors, into their midst.

We surely have great cause to congratulate ourselves upon this favorable state of things, in regard to our tawny neighbors; for while peace and quietness are blessings the most to be coveted, on one hand; strife, internal commotion, and war, often prove the greatest curses which can occur to any people; nevertheless it well becomes us to be *ever ready*; permit no apparent security which may prove false, to lull us into any neglect of our manifest duties in preparing to the extent of our abilities against any emergency that might suddenly arise.

The assessment of taxable property within the Territory for the past year, as you will perceive by reference to the Auditor's Report, herewith presented, shows an assessed value of \$1,169,883,80. This result in comparison with previous years, shows a rapid increase of the resources of this Territory, which properly husbanded, and future proportional increase, presents a very favorable prospect for the rapid development, and extension of the energy and enterprise of this young and vigorous Territory.

Many are the inducements presented for the investment of money, many an enterprise flattering to the pride of the Body Politic, are calculated to lead a government into extensive appropriations, based upon a speedy return of capital invested, overflowing coffers, and vastly increasing wealth. The experience of past events shows, that we should be guarded against such visionary problems, to be solved only by the hereditary barter and exchange of alike worthless "Promises to Pay."

The Revenue, under the existing laws, arising upon the foregoing assessment, fines, &c., amounts to the sum of	\$26,670,58
Of this amount there has been collected	16,021,92

Leaving a deficiency not yet collected, of	\$10,648,66
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Much of this amount will be collected in wheat, as has also been the case with collections already made. Owing to the present scarcity of money, not over one tenth of the foregoing amount has been collected in that article.

The expenditures of this Territory, being incurred principally for improvements, renders the grain currency less inconvenient than would probably be the case, if it had to be devoted to the payment of interest on bonds, or per diem allowance, fees, &c., of officers.

Public services, as usual, are gratuitous, with the exception of those who receive their per diem from the General Government.

The Taxes of those engaged in suppressing Indian hostilities, have, under the provisions of the present law, in many instances been allowed for services; a small consideration indeed, when we consider the nature and amount of service rendered. Many of those men hold themselves and animals constantly on hand, and are ready to go at a moment's notice; although no other compensation has as yet been paid, yet the amount of expenditures thus incurred, is for the past year \$3,457,87.

The amount paid in Bounty, for Wolf and Fox pates during the same time, amounts to \$2,233; these two items alone are more than one fifth of the whole amount of revenue, and more than one third of the whole amount collected.

The same Report of the Auditor, shows that for Bridges and Roads, Woollen Factory and University, have been paid on appropriations, \$4,725,87, which only leaves a balance of a little over \$5,000 to defray the expense of Printing, Surveys, and various other necessary and inevitable expenses of government; less than one fourth of the entire amount of tax assessed would ensure to the Territory a larger revenue for the ordinary governmental purposes, were there no appropriations for improvements, or encouragement afforded to enterprise. This statement of things should be highly satisfactory to the Tax-Payer; the more especially when he can see the money expended in such a manner as will enhance the value of his own property, and prove beneficial to his own convenience and interest.

Gentlemen: Representatives and Councillors of the People: it is to you we look for wise and salutary laws, under the provisions of which we expect to rise and extend forth to the accomplishment of our national destiny. You have it in your power to influence to a great extent the welfare of the rising State. Your actions, your maxims, your decisions, will be regarded as precedents: your enactments will go into operation, and will shape the course of the Body Politic: will be the rule of decision of the Courts of Justice, and will indicate unto all who shall come within the range of our influence for years to come, not only the administration of Justice, but the mode and operation of the Government itself, through the entire extent of the Territory.

They will entwine themselves around every interest in society, and will be studied by the people as a guide for them, to regulate their intercourse with each other.

Ordinarily it has been the custom of the Legislature to meet, hurriedly pass a few necessary laws, and then leaving their business half finished, return to their several homes and avocations, devolving upon oth-

ers, duties that rightfully belong to themselves. Unquestionably it is meritorious to be industrious in Legislation, and not to prolong the session longer than absolutely necessary; for this saves time and expense to the Government: yet it is equally meritorious to give due consideration to all laws, and take sufficient time not only to deliberate upon the various questions which are liable to arise, but become acquainted with all their bearings and probable effect. Therefore, while I would counsel the due observance of the principles of Industry, and expeditious Legislation, consistent with the faithful discharge of the duties incumbent upon you, yet let that wisdom and care pervade your counsels, which should characterize the acts of all deliberate bodies, that when you shall have adjourned, your business will have been accomplished to your own satisfaction and the satisfaction of all those associated with you.

The Organic Act allows only forty days for one session, ten of which were expended when first convened, leaving only thirty more for the present session.

I would respectfully suggest that the considerations of per diem allowance ought not to weigh in consideration of the faithful discharge of the duties and trusts reposed in us: and the law does not prohibit the call of another session, if you should find it necessary to have it prolonged beyond that time. You are already aware that there are no funds in the Territory at the present time, designed for, or that can be appropriated for Legislative purposes, yet they will unquestionably be forwarded, as soon as circumstances will permit.

Your early attention is solicited to provide by law, for the safe keeping, preservation, and disposition of the State Library, as I do not wish to curtail the privilege of its use, nor yet feel at liberty to indulge the access of so many applicants, lest some injury or loss might occur. It is my wish that all who desire may be enabled to partake of its benefits without restraint: yet some law regulating its use seems necessary.

Many are the considerations which crowd into the mind upon occasions like this: the more especially to those who by bitter experience can contrast the turbulent past with the peaceful present. The sound of music is not sweeter to the ear, than the breath of freedom, inhaled from the mountain breeze.

Let us be wise stewards over the blessings we enjoy, over the trusts reposed in us: and peace and union dwelling in our midst, may exaltation and perfection crown all our efforts, enabling us to perpetuate unto those who shall come after us, the blessings of a free, sovereign and independent government.

BRIGHAM YOUNG.

Great Salt Lake City, U. T., Jan. 5. 1852.